

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 13, 1973  
7:00 P.M.

ELECTRIC AUDITORIUM, 301 WEST AVENUE

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Dryden, Binder, Mayor Pro Tem Love, Councilmen  
Lebermann, Friedman, Handcox, Mayor Butler  
Absent: None

The Invocation was delivered by Mr. Daniel Junkin, Senior Student at  
Austin Presbyterian Theological Seminary.

APPROVAL OF MINUTES

Councilman Lebermann moved the Council approve the Minutes of the Regular  
Meetings held on November 8 and December 6, 1973. The motion, seconded by Mayor  
Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Binder, Mayor Pro Tem Love, Councilmen  
Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None

PROCLAMATION

Mayor Butler read a proclamation designating January, 1974 as "VOLUNTEER  
BLOOD DONOR MONTH" and urging all public officials, leaders of industry, education  
and religious groups, labor, civic, veterans', scientific, professional and  
fraternal organizations, and all other interested organizations and individuals to  
participate in this observance by urging their members and individuals to pledge  
or donate a unit of blood at their community or hospital blood bank to establish  
protection for themselves and loved ones. The proclamation was presented to Mrs.  
Kemp.

DISTINGUISHED SERVICE AWARDS

Distinguished Service Awards were presented by Mayor Butler to Mrs. E.T.  
Morris and Mrs. Russell Tinsley, former Solicitation Board members.

## HEARING ON AMBULANCE FRANCHISE

The hearing concerned the application of Bexar County Ambulance Service, William D. Lane a/k/a Bill Lane, owner, for an ambulance and transfer vehicle franchise.

Mayor Pro Tem Love requested that Item E.5, "Consideration of Bids for Emergency Ambulance Service," be considered along with the application by Bexar County Ambulance Service, and Mayor Butler agreed.

Attorney Brooks Holman, representing Bexar County Ambulance Service, submitted letters from various rest home and convalescent home owners who believed that a need existed for another ambulance company in Austin. Mr. Holman also submitted a letter from Mr. Dennis E. Gross, former employee of Austin Ambulance Service. Mr. Holman made the following points: (1) Austin Ambulance Service was not doing an appropriate job, (2) Bexar County Ambulance Service had operated in San Antonio for 15 years and in Bexar County, and 8 to 10 satellite cities, and was taking over from Austin Ambulance in Fayette County, (3) if awarded a contract the most modern equipment would be purchased, (4) Bexar County Ambulance Service was low bidder by at least \$100,000.

Mr. Conwell Smith, owner of Austin Ambulance Service stated that his service made about 30 calls per day. When the contract began, he had 24 drivers; 4 had Emergency Medical Training (EMT) ratings, 10 had Emergency Care Attendant ratings and 10 to 12 men had Advanced First Aid training. Presently 34 men have EMT ratings, one has the ECA rating and one has had Advanced First Aid. If dual services were allowed, he opposed a proposed ambulance rotation system. He argued that Bexar County Ambulance Service had shown no evidence of public convenience and necessity and asked the Council to deny the franchise application.

After some discussion, Mayor Pro Tem Love moved the Council deny the franchise application of Bexar County Ambulance Service. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

## ZONING HEARINGS

The Mayor announced that it was 7:00 P.M. and the Council would hear the zoning cases scheduled for public hearing at this time.

C14-73-212  
DISCOVERY PROPERTIES,  
INC.

Rear of 1908 East  
Riverside Drive

From "GR" General Retail  
to "C-2" Commercial  
RECOMMENDED by the  
Planning Commission

Mayor Pro Tem Love moved the Council grant the change from "GR" General Retail to "C-2" Commercial as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Councilman Binder

Noes: None

Out of Room When Roll Called: Mayor Pro Tem Love

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-208  
JOHN DEE FUQUAY

3407 Glenview Avenue

From "A" Residence to  
"O" Office RECOMMENDED  
by the Planning Com-  
mission subject to 1/2  
the right of way (5  
feet) to increase  
Glenview Avenue from  
50 to 60 feet

Councilman Handcox moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to 1/2 the right of way (5 feet) to increase Glenview Avenue from 50 to 60 feet. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Councilman Binder

Noes: None

Out of Room When Roll Called: Mayor Pro Tem Love, Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-209  
R.J. DEL GIUDICE

2011 Rutland Drive

From Interim "A"  
Residence 1st Height &  
Area to "D" Industrial  
1st Height & Area  
RECOMMENDED by the  
Planning Commission  
subject to a subdivision  
to identify this prop-  
erty and dedicate 1/2  
the right of way to  
increase Rutland Drive  
from 60 to 80 feet

Councilman Handcox moved the Council grant the change from "A" Residence 1st Height and Area to "D" 1st Height and Area as recommended by the Planning Commission subject to a subdivision to identify this property and dedicate 1/2 the right of way to increase Rutland Drive from 60 to 80 feet. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder and Friedman

Noes: None

Out of Room When Roll Called: Mayor Pro Tem Love, Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

KVET BROADCASTING  
COMPANY, INC.

Rear of 1868-2040  
Rundberg Lane  
(proposed)  
9429-9701 Running Bird  
Lane (proposed)

From Interim "A" Residence  
1st Height and Area To "D"  
Industrial 1st Height and  
Area for Tracts 1 & 3, "B"  
Residence 1st Height & Area  
for Tracts 1A, 3A, and 2  
RECOMMENDED by the Planning  
Commission subject to a sub-  
division to identify the  
property and provide for  
streets; and field notes to  
identify zoning boundaries

Councilman Handcox moved the Council grant the change from Interim "A" Residence 1st Height and Area to "D" Industrial 1st Height & Area for Tracts 1 and 3, and "B" Residence 1st Height and Area for Tracts 1A, 3A and 2 as recommended by the Planning Commission subject to a subdivision to identify the property and provide for streets; and field notes to identify zoning boundaries. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Friedman and Handcox

Noes: None

Present but not voting: Mayor Butler

Out of Room when Roll Called: Mayor Pro Tem Love and Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-214  
HIXON DEVELOPMENT  
COMPANY

1611-1705 East  
Riverside Drive  
1614-1705 Old Riverside  
Drive

From "B" Residence to "LR"  
Local Retail (as amended)  
RECOMMENDED by the Planning  
Commission as amended sub-  
ject to a subdivision and  
with no access to Old River-  
side Drive

Mr. Jim Phinney of 1207 Upland Drive, after being told that there would be no access from Old Riverside Drive, but just to the New Riverside Drive, did not oppose the change.

Councilman Handcox moved the Council grant the change from "B" Residence to "LR" Local Retail as recommended by the Planning Commission subject to a subdivision and with no access to Old Riverside Drive. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox, and Lebermann

Noes: None

Out of Room When Roll Called: Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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C14-73-215  
GIBSON PRODUCTS COMPANY  
OF BEN WHITE BOULEVARD,  
INC.

2111-2119 West Ben  
White Boulevard  
(as amended)

From "GR" General Retail to  
"O" Office (as amended)  
RECOMMENDED by the Planning  
Commission on approximately  
149 feet to align with the  
"GR" General Retail zoning  
to the west of subject tract  
as amended, subject to  
field notes

Councilman Friedman asked Mr. Lillie to explain the original staff opposition to the change, and Mr. Lillie stated it was to the depth of the "C" Commercial back to the strip of "B" Residence along Red Street, but, as amended, the staff concurred.

Councilman Binder wondered if the citizens who originally spoke against the change were concerned with the same thing as the staff, and Mr. Lillie stated that he thought so.

Mayor Pro Tem Love moved the Council grant the change from "GR" General Retail to "C" Commercial as recommended by the Planning Commission on approximately 149 feet to align with the "GR" zoning to the west of subject tract, as amended, subject to field notes. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Friedman, Handcox, Lebermann,  
and Mayor Butler

Noes: None

Out of Room When Roll Called: Councilman Dryden

The Mayor announced the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

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C14-73-216  
SAM HARRIS, et. ux.  
and VERNON LEMENS

503-507 East Rundberg  
Lane

From "A" Residence to "GR"  
General Retail RECOMMENDED  
by the Planning Commission  
subject to a subdivision to  
identify this property and  
dedicate 1/2 of the right  
of way (approximately 15  
feet) to increase East  
Rundberg Lane to 90 feet

Councilman Friedman asked if the staff had reconciled itself to "GR" General Retail on the last one worked out or if they were still recommending against it. Mr. Lillie said, "No," that it was a borderline case which could go "LR" Local Retail or "GR" General Retail since there was "GR" General Retail across the street and the staff had no strong objection.

Councilman Binder asked if the staff recommended the change and Mr. Lillie said "Yes," but that they were trying to scale down the zoning along the street. With "GR" General Retail across the street for a full block west of the locations and some nonconforming uses already on the south side, the "GR" General Retail was acceptable.

Councilman Lebermann moved the Council grant the change from "A" Residence to "GR" General Retail as recommended by the Planning Commission subject to a subdivision to identify the property and 1/2 of the right-of-way (approximately 15 feet) to increase East Rundberg Lane to 90 feet. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox and Lebermann, Mayor Butler, Mayor Pro Tem Love

Noes: Councilmen Binder and Friedman

Out of Room When Roll Called: Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-217

JAMES M. DYESS &  
WALTER & RUBY  
LAWRENCE

9021-9109 Capital  
Drive, 601-605 &  
rear of 607-701  
Middle Lane

From "A" Residence, "BB" Residence & "C" Commercial to "GR" General Retail RECOMMENDED by the Planning Commission subject to 1/2 the right of way (5 feet) to increase both Capital Drive and Middle Lane from 50 to 60 feet, no access to Capital Drive; and one curb cut on Middle Lane

Councilman Friedman raised several questions about the change and asked if the integrity of the neighborhood would be retained. Mr. Lillie said more so than if access to the internal streets were permitted.

Councilman Handcox moved the Council grant the change from "A", Residence, "BB" Residence, & "C" Commercial to "GR" General Retail as recommended by the Planning Commission, subject to 1/2 the right of way (5 feet) to increase both Capital Drive and Middle Lane from 50 to 60 feet, no access to Capital Drive; and one curb cut on Middle Lane. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love  
Noes: Councilmen Friedman and Binder  
Out of Room When Roll Called: Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-218  
C.C. COOK  
RAY THOMAS &  
BERNARD LAUTERBORN

1735 Rutland Drive

From Interim "A" Residence  
1st Height & Area TO "LR"  
Local Retail 1st Height &  
Area RECOMMENDED by the  
Planning Commission subject  
to a subdivision to identify  
this property and dedicate  
10 feet of right of way to  
increase the east-west  
section of Rutland Drive  
to 80 feet

Councilman Friedman asked about the staff's feelings on the proposed change to "LR" Local Retail. Mr. Lillie stated that when plans for the Quail Creek Subdivision were first submitted the staff was concerned about having a buffer between the subdivision and the industrial area to the west. The staff felt that the subject area should be zoned "BB" Residence, but the Planning Commission felt that a shopping center under an "LR" Local Retail zoning was appropriate and so recommended to the Council.

Mr. Robert Davis, representing the application asked to be heard and that the Council wait until Councilman Dryden returned before voting.

Mayor Pro Tem Love moved the Council grant the change from Interim "A" Residence 1st Height & Area to "LR" Local Retail 1st Height & Area as recommended by the Planning Commission subject to a subdivision to identify this property and dedicate 10 feet of right of way to increase the east-west section of Rutland Drive to 80 feet. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden  
Noes: Councilmen Friedman, Lebermann, Binder

Mayor Butler asked the City Attorney that since he (the Mayor) had an interest in a piece of property not adjoining the subject tract, but in the reasonable neighborhood, if it were proper for him to vote. Mr. Jerry Harris stated that it was proper.

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-219  
MANCHACA-STASSNEY, LTD.

Rear of northeast  
corner of Manchaca  
Road and Stassney  
Lane

From "O" Office To  
"A" Residence on Tracts 1A  
and 2A "B" Residence on 25  
feet of Tracts 1 and 2 ad-  
jacent to Tracts 1A and 2A  
"GR" General Retail on the  
remainder of Tracts 1 and 2  
(as amended)  
RECOMMENDED by the Planning  
Commission as amended sub-  
ject to a 6 foot privacy  
fence where adjoining the  
Deer Park neighborhood; a  
50 foot building setback

Councilman Binder noted that as originally presented, the staff had recom-  
mended denying the change. Mr. Lillie stated that the amendment worked out by the  
Planning Commission was better than the originally intended buffer zone of "O" Office,  
that 25 feet of "B" Residence would be used as a driveway.

Mayor Pro Tem Love moved the Council grant the changes from "O" Office to  
"A" Residence on Tracts 1A and 2A, "B" Residence on 25 feet of Tracts 1 and 2  
adjacent to Tracts 1A and 2A and "GR" General Retail on the remainder of Tracts 1  
and 2 (as amended) as recommended by the Planning Commission subject to a 6 foot  
privacy fence where adjoining the Deer Park neighborhood; a 50 foot building set-  
back. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden and Friedman  
Noes: None

The Mayor announced that the change had been granted as recommended by the  
Planning Commission and the City Attorney was instructed to draw the necessary  
ordinance to cover.

C14-73-220  
CITY OF AUSTIN  
Tract 1

1101-1221 West Ben White  
Boulevard  
4211 Banister Lane  
North dead-end of Jinx  
Avenue

From "A" Residence to "O"  
Office (as amended)  
RECOMMENDED by the Planning  
Commission as amended sub-  
ject to a subdivision to  
identify this property and  
provide for the proper ter-  
mination of Jinx Avenue; no  
vehicular access to Jinx  
Avenue; the southernmost  
10 feet to remain in its  
natural state; and a 25  
foot building setback from  
the southern boundary

Councilman Handcox moved the Council grant the change from "A" Residence to  
"O" Office (as amended) as recommended by the Planning Commission subject to a  
subdivision to identify this property and provide for the proper termination of



Jinx Avenue; no vehicular access to Jinx Avenue; the southernmost 10 feet to remain in its natural state; and a 25 foot building setback from the southern boundary. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden, Friedman and Handcox  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-221  
BUCKINGHAM RIDGE  
DEVELOPERS

Southwest corner of  
South Congress Avenue  
and William Cannon  
Drive

From Interim "A" Residence  
1st Height & Area to "GR"  
General Retail 1st Height &  
Area on Tract 1 "BB"  
Residence 1st Height and  
Area on Tracts 2 and 3  
RECOMMENDED by the Planning  
Commission subject to a  
subdivision to identify this  
property and provide for  
streets; a 6 foot privacy  
fence where adjoining "A"  
Residence zoning and sign  
notification provision

Councilman Lebermann moved the Council grant the changes from Interim "A" 1st Height & Area to "GR" General Retail 1st Height & Area on Tract 1 and "BB" Residence 1st Height and Area on Tracts 2 and 3 as recommended by the Planning Commission subject to a subdivision to identify this property and provide for streets; a 6 foot privacy fence where adjoining "A" Residence zoning and sign notification provision. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,  
Handcox, Lebermann  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission, subject to conditions and the City Attorney was instructed to draw the necessary ordinance to cover.

C14-73-210  
CHARLES E. ARNOLD &  
ADOLPH REINHARDT

1218-1220 East Live Oak  
Street

From "A" Residence to "GR"  
General Retail Not Recom-  
mended by the Planning  
Commission RECOMMENDED "B"  
Residence with no access  
permitted to East Live Oak

Street for other than "A"  
Residence uses

Mayor Butler stated that the applicant had agreed to the alternate. Councilman Binder asked Mr. Lillie if the purpose of the change was to allow more motel parking. Mr. Lillie stated yes, but with no access to Live Oak. Mrs. Marilyn Faulkenberg, representing Faith Presbyterian Day Care Kindergarten Center, and speaking for a group of ladies opposing the change from "A" Residence to "GR" General Retail, stated that she would not oppose the "B" Residence zoning.

Councilman Lebermann moved the Council grant the change from "A" Residence to "B" Residence as recommended by the Planning Commission with no access permitted to East Live Oak Street for other than "A" Residence uses. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
and Lebermann, Mayor Butler  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

#### ZONING DENIED

C14-73-213

DON BYRON BOITNOTT, JR. 801-805 Waller Street  
and GEORGE VILLALVA, JR. 1100 East 8th Street

From "B" Residence to "O"  
Office NOT RECOMMENDED by  
the Planning Commission

Mayor Pro Tem Love moved the Council deny the change from "B" Residence to "O" Office as recommended by the Planning Commission. The Motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox and Leberman, Mayor  
Pro Tem Love  
Noes: Mayor Butler

#### RECOMMENDATIONS OF JOINT CITY COUNCIL/UT REGENTS COMMITTEE

Mayor Butler opened the public hearing to consider vacation of various streets and alleys. No one appeared to be heard. After short discussion Mayor Pro Tem Love moved the hearing be closed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

The Mayor introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THOSE CERTAIN  
PORTIONS OF PARK STREET, DELL STREET, DWARF STREET, SHORT STREET  
AND LAKE AUSTIN BOULEVARD ALLEY, IN THE CITY OF AUSTIN, TRAVIS  
COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY

PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Mayor introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF REDBUD TRAIL, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Mayor introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF EXPOSITION BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## RECOMMENDATIONS OF JOINT CITY COUNCIL/UT REGENTS COMMITTEE (continued)

Mayor Butler stated the Council now had before it for consideration the following:

1. Resolution authorizing a lease agreement for Municipal Golf Course.
2. Resolution authorizing an agreement for the relocation of Red River Street.
3. Resolution vacating portion of sewer line easement in Brackenridge Tract (University is providing new easement on corrected alignment)

Councilman Friedman wished to consider the relocation of Red River Street separately from the lease agreement on the Municipal Golf Course, but other members of the Council felt that since a package had been negotiated between the City and The University of Texas Board of Regents the items should be voted on together.

## RELOCATION OF RED RIVER STREET

## OPPONENTS

Dr. William Shive, representing a group centering mainly around 37th and 38th Streets onto beyond 38 1/2 Street, both east and west of Red River, made the following points:

1. Since the University's enrollment is stabilizing, minimal widening of Red River will be necessary for many years to come to accommodate any increase in traffic in that area.
2. Suggested that a good study would reveal that the continuing growth of Austin has no effect on traffic on Red River.
3. Four lanes would be adequate for the next 20 years.
4. Excessive widening of Red River would be detrimental to the residential character of the area.
5. Widening Red River would increase the accident rate for school children who attend the two area schools (between 38th and 32nd).
6. Preservation of high quality residential areas near the University of Texas is essential to the future welfare of the University.
7. No objection to the removal of Red River to an outside perimeter, nor to the closing of San Jacinto.
8. Let each north-south artery in the University area carry its own load. Only about 50 to 60 per cent will go around Red River, since most of the traffic is involved within the University.

Judge Jim Meyers spoke to support Dr. Shive's arguments and suggested that building Red River into a 60 foot street with an 80 foot easement might be unjustified due to the traffic load.

Mr. Roger W. Pinckney, President, North University Neighborhood Association, dealing with the area from 26th to 38th Streets and Guadalupe Street to I.H. 35, read a petition signed by Association members endorsing the extension of the Municipal Golf Course lease, but opposing the widening of Red River. He proposed that Red River be no wider than four lanes, especially north of 26th Street, and that an Environmental Impact Study be made to see what effects the widening of Red River would have on a primarily residential neighborhood. He also objected to the effect the relocation plan would have on the grounds of St. David's Hospital, but was told by Mayor Butler that the Board of St. David's had unanimously approved the plan. He also objected to the removal of Northwood Terrace Apartments. He then proposed an alternative route.

Mr. Jack Douglas questioned Mr. Ternus and the Council in general about the justification for the cost of the S-curve on Red River versus continuing Red River in its present roadbed. He was told that right of way for the curve would be provided by The University and not the City of Austin, which would pay only for the construction cost.

Mrs. Mildred Douglas, member of the board of the Women's Environmental Coalition and the Texas Environmental Coalition, supported the drive to save Muni, but objected to what she characterized as a trade-off of Muni for the Red River relocation.

Mr. Larry Brownstein, a University student living in Northwood Terrace Apartments, asked about the alternative routes and the cost of the land for the relocation. Mayor Butler said that the land would cost several million dollars in University funds. Mr. Brownstein requested that the Council consider carefully the alternative plans.

Mr. Larry Rubenstein, a law student living in Great Oaks Apartments, asked that the package as proposed be accepted with an amendment to look into possible rerouting other than S-curve and consider other alternative routes.

Ms. Annette Kluth, a coordinator for SON (Save Our Neighborhoods), the West University Neighborhood Association, requested that a public hearing be held in the area (such as Townes Hall) after the holidays and that an Environmental Impact Study be prepared in the interim. Speaking for SON, she urged the Council to pass the first resolution.

Mr. Royston Roberts, a University professor, wanted to know about future plans for the area between 38 1/2 and 41st Streets. Mr. Ternus told him that the section would be widened to five lanes. Mr. Roberts objected to the banning of bicycles on Red River and questioned the need for five or six lanes of traffic in that area. He felt that further study was in order. Mr. Ternus stated that with the transfer of traffic from San Jacinto street that at least five lanes would be needed to handle the traffic flow.

Dr. Carey Legett felt that the west frontage road of the expressway could carry a large amount of traffic after the change in the expressway was completed and questioned the need for a large artery (Red River) just two blocks west of the frontage road.

Mr. Long argued that the Council had not saved Muni but had just delayed it for another 14 years. He felt that the Board of Directors of St. David's Hospital made a bad deal in approving the Red River relocation because of the noise problem which would be created.

Mr. Raymond Tucker, Land Use Committee Chairman for North University Neighborhood Association (NUNA) asked Mr. Ternus what the basis was for his statistics on increased Red River traffic after San Jacinto was closed. Mr. Ternus stated he had some data that was used to redistribute traffic currently using Speedway and Duval and to place more traffic on Red River. Mr. Tucker had driven the area deliberately for several days at peak traffic and questioned just how much additional traffic would be added to the area by the closing of San Jacinto.

Dr. Oscar Wiegand asked if the City could make a decision on Red River north of 26th Street independent of the University. Mayor Butler stated that the University recognized that the traffic problem would extend beyond 26th Street and had agreed to buy the additional right of way needed by the City to complete the relocation. Dr. Wiegand advocated approving the resolution in the spirit it was intended, but not necessarily in a particular way.

Mr. Davidson stated that there could be changes within the framework of the overall concept, but that the basic concept would remain unchanged. Dr. Wiegand asked if the resolution could be approved but retain the option of studying it. Mayor Butler responded that the option could not be taken without going back to the Board of Regents to obtain their permission and that the entire package hinged on the relocation of Red River.

Mayor Pro Tem Love suggested that Dr. Wiegand write a letter to the Board of Regents at The University of Texas and state his views on Red River relocation. Dr. Wiegand agreed and felt that further discussion with the Regents with respect to future planning of that section of the artery would not violate the spirit of the resolution as stated.

Councilman Handcox thought that the proposal was a great idea.

#### MOTION

Councilman Binder then moved the Council approve the overall proposal as presented, select the consulting engineers and hold a special public hearing limited to the Red River Street question before finalizing construction plans.

Councilman Lebermann seconded the motion.

An unidentified man asked if supporting the proposal would lock in the S-curve on Red River, and Mr. Davidson and Mr. Tulk said that they thought it would.

## SUBSTITUTE MOTION

Councilman Friedman moved a substitute motion that resolution 1 (lease agreement for Municipal golf course) and resolution 3 (vacation of sewer line easement in Brackenridge Tract) be approved and consider resolution 2 (relocation of Red River Street) as a separate item.

## SECOND SUBSTITUTE MOTION BASED ON ORIGINAL MOTION

Councilman Lebermann moved a second substitute motion that Councilman Binder's original motion plus Councilman Binder's recommendations that two public hearings be held on the entire package be approved. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden  
Noes: Councilman Friedman

SELECTION OF PROFESSIONAL ENGINEERING SERVICES FOR RELOCATION  
OF RED RIVER STREET

Mayor Pro Tem Love moved the Council grant construction services to Forrest and Cotton. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden, Friedman  
Noes: None

## EMERGENCY AMBULANCE SERVICE BIDS

Mr. Dale Owens, owner of Capitol Ambulance Service, spoke against the granting of a new contract to Austin Ambulance Service and proposed that a City-operated ambulance service be created.

Mayor Butler pointed out that Mr. Owens' proposal was not relevant to the subject item or the public hearing which had just been closed.

Mr. Bill Lane, owner of Bexar County Ambulance Service, disagreed with the franchise denial vote and asked to introduce Mr. Ron Hill, a private investigator with the Southwest Detective and Security Company who had done a two-month investigation of Austin Ambulance Service for Mr. Lane.

Mr. Hill asked that his findings be considered by the Council before awarding a new contract to Austin Ambulance Service.

Dr. Maurice Hood, speaking for the Central Texas Medical Foundation, requested that the Travis County Medical Society and the Central Texas Medical Foundation be allowed to submit a report within two weeks on the medical aspects of operating an ambulance service.

Dr. Kent Beasley, President of the Austin-Travis County Heart Association, endorsed Dr. Hood's recommendation and added that Dr. Grover Bynum, President of the Travis County Medical Society, offered the cooperation of the entire Society to provide medical input into the problem.

#### MOTION

Mayor Pro Tem Love moved the Council reject both bids for contract services of Bexar County Ambulance Service and Austin Ambulance Service, hold the Austin Ambulance Service renewal contract in abeyance, negotiate the new contract along with the advice and counsel of the Travis County Medical Society and the Central Texas Medical Foundation, hear Mr. Hill and the Bexar County people, and bring the matter before the Council at the earliest convenience of the City Manager.

Councilman Dryden seconded the motion.

#### ADDED TO MOTION

Councilman Friedman asked that Mayor Pro Tem Love add to his motion that the City Manager try to arrange with Austin Ambulance Service a one-year contract with an additional one-year option, so that in the interim, a thorough study could be made of ambulance service requirements. Mayor Pro Tem Love agreed to the addition. The motion carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love

Noes: None

#### EASEMENT RELEASES

Mayor Pro Tem Love moved the Council adopt resolutions authorizing the release of the following easements:

- a. The east forty-seven (47.00) feet of the five (5.00) foot public utilities easement along the south line of Lot 1, Block F, PLAZA PLACE. (requested by the owner, Mike Sloan)
- b. The east five (5.00) feet of the ten (10.00) foot waste water easement along the west line of that certain tract described as Lot 5, SAM PICKLE SUBDIVISION and a 0.17 acre tract of land. (initiated by the Water and Wastewater Department of the City of Austin)
- c. Portions of the seven and one-half (7.50) foot public utilities easements along the south and west lines of Lot 1 and the south and east lines of Lot 2, Resub. of 1.42 acres of Lot 5 of the Z.T. BUNDY SUBDIVISION. (requested by the owner, Scudder & Wadsworth)
- d. The ten (10.00) foot drainage easement across Lot 10, Block B, HOLIDAY SQUARE. (requested by Hale & Associates, Inc., as agent for the owner, Kerry G. Merritt)

The motion, seconded by Councilman Dryden, carried by the following vote:



Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox  
Noes: None  
Out of Room When Roll Called: Councilman Friedman

#### LICENSE AGREEMENTS

Mayor Pro Tem Love moved the Council adopt a resolution granting a license agreement for use of the following:

CHARLES SANDAHL, JR. - proposed encroachment of a building across a six (6.00) foot public utilities easement across Lot 1-A, Resub. of Lots 1 and 12, Alff Addition

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Bryden, Handcox  
Noes: None  
Out of Room When Roll Called: Councilman Friedman

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the City Manager to enter into a license agreement with the following:

- a. Missouri Pacific Railroad Company to install a 6-inch ductile iron water main beneath the Missouri Pacific's Railroad tracks at Mile Post 179+2708 feet. (West Third Street at Lamar) \$300.00
- b. Southern Pacific Transportation Company to install a 10-inch ductile iron sanitary sewer main beneath Southern Pacific's railroad tracks and property at Mile Post 108.41 in Austin. (FM 969 between Ed Bluestein Boulevard and Decker Lane)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox  
Noes: None  
Out of Room When Roll Called: Councilman Friedman

#### COST DIFFERENCE PAYMENT

Mayor Pro Tem Love moved the Council adopt a resolution authorizing payment to BUELL SUPPLY, INC., J.E. Youngquist, President, the cost difference of 12"/8" A.C. water main in Buell Park Subdivision - \$4,028.32.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann  
Noes: None

## CASH SETTLEMENT

Councilman Lebermann moved the Council adopt a resolution authorizing cash settlement as follows:

ROBERT L. OGDEN - For water and wastewater mains in Creek Bend, Section 5. Cash settlement with allowance granted for cost of paving a previously dedicated street. The total cost for utilities is \$4,880.40.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: Councilmen Binder, Friedman

## CONTRACTS AWARDED

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

CHEMTECH CORPORATION  
(St. Louis, Missouri)

- Bid Invitation 4-0207  
Fluosilicic Acid Supply Agree-  
ment @ 360 tons @ \$57.50/ton  
\$20,700.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

MC MORRIS FORD  
(Austin, Texas)

Bid Invitation No. 3-1539  
One (1) each Truck Cab and  
Chassis - \$6,706.18

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

ANDERSON MACHINERY CO.  
(San Antonio, Texas)

Bid Invitation No. 3-1849  
One (1) each 27,000 lb. Class  
Motor Grader - \$40,804.00  
less trade-in of \$10,904.00  
Total: \$29,900.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder

Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

MINNESOTA MINING &  
MANUFACTURING COMPANY  
(St. Paul, Minnesota)

Bid Invitation No. 4-0143  
Reflective Material Supply  
Agreement, Items 1-42  
\$47,790.17

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler  
Mayor Pro Tem Love, Councilman Binder

Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

VULCAN SIGNS & STAMPINGS, INC.  
(Foley, Alabama)

Bid Invitation No. 4-0043  
Traffic Sign Blanks Supply  
Agreement, Items 1-18  
\$14,435.50

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler  
Mayor Pro Tem Love, Councilman Binder

Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

S & C ELECTRIC COMPANY  
(Corpus Christi, Texas)

Bid Invitation No. 4-0161  
Six (6) each Circuit Switcher  
Stands for Austrop Substation  
\$8,450.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder

Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract:

RICKS CONSTRUCTION COMPANY  
(Austin, Texas)

Capital Improvements Program  
Project Numbers 9101 0 and  
9111 1, for the construction  
of the Rosewood-Zaragosa  
Community Center - \$695,780.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract; the supplier was selected after casting lots to determine the award, since identical bids of 55% discount were submitted:

GRAPHIC ARTS UNLIMITED, INC.  
(New York City, New York)

Bid Invitation No. 4-0183  
Framed Art Prints Supply  
Agreement - \$7,000.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None

The following bidder was not selected:

NEW YORK GRAPHIC SOCIETY  
(Greenwich, Connecticut)

#### DELETION OF CONTRACT

The following contract was deleted at this time due to further study:

GRAYBAR ELECTRIC CO.  
(Austin, Texas)

Bid Invitation No. 4-0080  
Storage Bins - Items 1-5  
\$23,499.00

#### SALE APPROVAL

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the sale to BOB LUNSFORD AND ASSOCIATES, INC., of parcels in the Glen Oaks Project, Tex A-11-4, as follows:

Parcel No.	Bid Price	Minimum Acceptable Price
R-115	\$2,315.00	\$2,300.00
R-116	\$2,415.00	\$2,400.00
R-118	\$2,515.00	\$2,500.00
R-119	\$2,515.00	\$2,500.00
R-121	\$2,465.00	\$2,450.00
R-125	\$2,315.00	\$2,300.00
R-126	\$2,315.00	\$2,300.00
R-128	\$2,415.00	\$2,400.00
R-130	\$2,715.00	\$2,700.00
R-133	<u>\$2,615.00</u>	<u>\$2,600.00</u>
	\$24,600.00	\$24,450.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden

Noes: None

#### SALE OF STRUCTURE

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the sale of structure in the Brackenridge Project Area, Tex A-11-1 as follows:

Parcel 16-5	Fred H. Grant (former owner)	\$3,600.00
	Minimum acceptable sales price:	\$800.00

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden

Noes: None

#### EXTENSION OF LEASE AGREEMENT

Councilman Lebermann moved the Council adopt a resolution authorizing the extension of the lease agreement for the Southwood Branch Library--approximately 2,500 square feet located in the Southwood Shopping Center at 1507 Ben White Boulevard in South Austin. The monthly rental is \$170.00 (about \$.068 per square foot).

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman

Noes: None

## DATA PROCESSING SERVICES

Mayor Pro Tem Love moved the Council select the following firm as the Data Processing Firm for services in re-programming and re-designing the Austin Public Library's Book Catalog System:

DELPHI DATASYSTEMS

\$12,000.00

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman

Noes: None

## ZONING CASE REINSTATEMENT

Councilman Friedman moved the Council reinstate zoning case No. C14-72-270, which was dismissed through administrative error.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox and Lebermann

Noes: None

## CITY OF AUSTIN NEW CAREERS PROJECT

Councilman Friedman moved the Council adopt a resolution authorizing an agreement with Girling & Associates Home Health Services Incorporated to provide on-the-job training for one (1) disadvantaged adult who is a trainee of the City of Austin New Careers Project. Successful completion of the program will result in the full-time placement of the trainee by the institution no later than January 1, 1975. Program cost will be \$5,380.00 in Department of Labor funds and \$538.00 in non-Federal share provided by the institution.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

Councilman Friedman moved the Council adopt a resolution authorizing an agreement with United Cerebral Palsy of the Capitol Area to provide on-the-job training for two (2) disadvantaged adults who are trainees of the City of Austin New Careers Project. Successful completion of the program will result in the full-time placement of the trainees by this institution no later than January 1, 1975. Program cost will be \$10,760.00 in Department of Labor funds and \$1,076.00 in non-Federal share provided by the institution.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

#### TEXAS CRIMINAL JUSTICE COUNCIL GRANT

Councilman Friedman moved the Council adopt a resolution authorizing the City Manager to accept a Texas Criminal Justice Council grant in the amount of \$25,745.00 for the "Development Assistance Rehabilitation Employment/Education Program" and agreeing to abide by all provisions of the grant agreement.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

#### CONTRACT AGREEMENT

Councilman Friedman moved the Council adopt a resolution authorizing a contract between the City of Austin and Development Rehabilitation Employment/Education program approved by the Criminal Justice Council. Total funding is \$25,745.00 and is 100 per cent provided by the Criminal Justice Council. November 1, 1973 - March 31, 1974.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

#### GRANT APPLICATION

Councilman Friedman moved the Council adopt a resolution authorizing the submission of a grant application by PARD to the Bureau of Outdoor Recreation for the implementation of the Town Lake Development Phase III. The amount requested from BOR is \$100,000. The City of Austin will match that amount.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

## SPECIAL SERVICES FUND CONTRACTS

Councilman Friedman moved the Council adopt a resolution authorizing the following Special Services Fund Contracts:

<u>AGENCY</u>	<u>ALLOCATION</u>	<u>CONTRACT TERM</u>
AUSTIN-TRAVIS COUNTY MENTAL HEALTH-MENTAL RETARDATION CENTER	\$201,221.00	October 1, 1973 - September 30, 1974

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

Councilman Friedman moved the Council adopt a resolution authorizing the following Special Services Fund Contract:

<u>AGENCY</u>	<u>ALLOCATION</u>	<u>CONTRACT TERM</u>
HUMANE SOCIETY OF AUSTIN & TRAVIS COUNTY	\$36,000.00	October 1, 1973 - September 30, 1974

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

## ELECTRIC CHARGE INCREASE

After a brief discussion, Mayor Pro Tem Love moved the Council instruct the City Manager, staff and consultant to pursue the three stipulated phases as outlined last evening and within Phase 1, which should be implemented no later than the first of the year, that procedure No. 1 be adopted.

Councilman Handcox seconded the motion.

Councilman Friedman offered a substitute motion that the Council adopt an ordinance reflecting a 36 mil increase on all electric bills, that the increase be weighted two to one so that commercial users would incur twice the increase as residential users, and that the 20% transfer of utility revenue to the general fund not be exempted from the increase.

Councilman Binder seconded the motion.

Mayor Butler then asked if anyone favored Plan 2, the 17.8% across-the-board increase. He indicated that Plan 2 was his choice. Councilman Friedman



felt that the 17.8% increase hit residential users harder than it did commercial users. He was concerned that the curve was being kept on a regressive basis rather than being flattened out.

Mayor Butler wanted to know why the 17.8% hit the residential user harder than it did the other three categories. Councilman Friedman stated that their rate was a different thing, so that the residential user carried more of the burden, that the impact was greater on that user.

Mayor Butler asked Mr. Norman Barker if last night, during the special meeting, he did not favor Plan 3. Mr. Barker replied that the effect of Plan 3 would be to place a greater percentage increase on the large user than the small user. Mayor Butler pointed out that a large user cannot become a small user and that under Plan 3 the large user would be penalized just because he was large and offering a lot of employment. Mr. Barker agreed that that was his point. The variable in the second proposed plan left the cost per kWh or the mil variable. The mils variable would be larger on the small user and smaller on the large user.

Mayor Pro Tem Love reminded Mr. Barker that last night he (Mr. Barker) had agreed with Mr. Sharkey's recommendation that Plan 1 be adopted. Mr. Barker stated that Plan 1 was the closest to a rate schedule which would be worked out, and that that was Mr. Sharkey's first choice since he had worked it out first.

Councilman Dryden, who missed the December 12 meeting, asked why a 10% increase would not work as well as the proposed 17.8% increase. Mayor Butler responded that the experts had indicated that the 17.8% rate increase was the minimum increase which would protect the equity of the system. Councilman Dryden then asked how much damage would be done by adopting the 10% increase. Mayor Butler said that Mr. Grossman's letter stated very emphatically and in no uncertain terms that the increase should be put into effect no later than January 1, 1974. Mr. Davidson pointed out that Mr. Sharkey had stated that the City could not sustain the equity of the system and meet its bond obligations and operating costs without a minimum of 17.8% increase, that in three months time the dollar difference in round figures would be \$1,600,000.

Mayor Butler expressed concern over Plan 3, felt that it would get the City into trouble, and asked Mr. Barker to give his personal recommendation as to which plan he preferred. Mr. Barker stated that since each plan produced the same amount of revenue, Plan 2 would be the easiest to handle in terms of billing.

Councilman Friedman wondered if it might not be worthwhile to compute the changes necessary so that the residential user might save an increase. Mr. Barker stated that he didn't imply and didn't want the decision to be on that basis, that it was a matter of flattening the curve and that Plan 3 was a more abrupt plan flattening and, taken as a whole, tended to be punitive.

Councilman Lebermann asked Mr. Barker if Phase 1 would be excellent for about six months. Mr. Barker responded that it would be, that the target date for implementation of Ebasco's final plan would be July 1, 1974.

#### SECOND SUBSTITUTE MOTION

Councilman Lebermann offered a substitute motion that the Council adopt Ebasco's Plan #2 as an interim pending the finalization of the study and final action of the Council.

Councilman Dryden seconded the motion.

Mayor Butler requested that Councilman Lebermann change "interim" to "Phase 1," and Councilman Lebermann agreed.

The motion carried by the following vote:

Ayes: Councilmen Bryden, Lebermann, Mayor Butler, Mayor Pro Tem Love  
Noes: Councilmen Friedman, Handcox, Binder

Councilman Friedman leaves at this point.

#### AMENDING FEES AND CHARGES FOR MUNICIPAL AUDITORIUM-COLISEUM

Mr. Joseph Liro, Budget Director, summarized the situation regarding the proposed revisions to fees and charges for Municipal Auditorium-Coliseum usage:

1. The Council did not wish to place an extraordinary burden on commercial promoters who use the coliseum.
2. Set up a separate fee schedule for the three different auditorium configurations (3,000, 4,300 and 6,000 seat auditorium)
3. The Council did not wish to place an unnecessary burden on non-profit organizations who sponsor cultural or charitable events.
4. Offer a reduced rate to organizations which hold a current charitable solicitation permit.

Mr. Rod Kennedy stated that he felt the new policy was fair and equitable and asked that the Council adopt the program.

Mayor Pro Tem Love moved the Council adopt a resolution setting out the new fee schedule. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

#### ITEM POSTPONED

The item of Mr. Sterling Sasser, Sr., requesting to appear before the City Council to request reinstatement of Zoning Case #C14-71-204 was postponed at this time.

#### CITIZEN APPEARANCE

Mrs. Joyce Shaw who was requesting to appear before the City Council to discuss voting inconveniences at the November 17, 1973 election was not present.

## CITY PARK ACQUISITION POLICIES AND PROCEDURES

Mr. Cliff M. Collins appeared before the Council to request that the Council guarantee that the University Hills park, owned by Walter Carrington and Lumbermen's Investment Corporation, which the City was considering buying, be dedicated as park land and that the present zoning be rolled back.

Mayor Butler assured Mr. Collins that if the City bought the land that it would be dedicated as park land, and as such, the zoning roll back would be unnecessary, since the land could not be sold without a public referendum.

Mayor Pro Tem Love suggested that Mr. Collins and his associates meet with the City Attorney to verify that the land would be used as park land. Mr. Collins agreed and asked that he also be allowed to submit a list of questions to the Council and the City Manager regarding the proposed land transaction. Mayor Butler agreed to accept the list and respond to it.

## REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH BUELL SUPPLY, INCORPORATED, BAKER-JONES-CROW NO. 3 COMPANY AND WESTOVER HILLS, INCORPORATED; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilman Dryden  
Noes: Councilman Binder  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

## ANNEXATION ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 91.96 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY AND PARTLY OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY, AND 71.12 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY AND PARTLY OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING

THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Handcox moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox

Noes: None

Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) LOTS "A" AND "B" OF TIMMERMAN ADDITION, LOCALLY KNOWN AS 102-104 NORTH LOOP BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,
- (2) LOTS 5 and 6, ELMHURST ADDITION, LOCALLY KNOWN AS 1501-1503 I.H. 35; 1500-1502 SUMMIT STREET; AND 1501-1505 ELMHURST STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Dryden, Handcox, Lebermann

Noes: None

Absent: Councilman Friedman

Not in Room When Roll Called: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING "THE TRAILS", LOCATED AT MESA DRIVE AND MYRICK DRIVE, TO BE USED FOR A PLANNED UNIT DEVELOPMENT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Dryden, Handcox, Lebermann

Noes: None

Absent: Councilman Friedman

Not In Room When Roll Called: Mayor Pro Tem Love

The Mayor announced the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE EAST 27.12 FEET OF LOT 9 AND ALL OF LOTS 10, 11, 12 and 13, BLOCK "C", PLACEDINA SUBDIVISION, LOCALLY KNOWN AS 4101-4103 SOUTH FIRST STREET AND 511-515 CLARKE STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Dryden, Handcox, Lebermann

Noes: None

Absent: Councilman Friedman

Not in Room When Roll Called: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

#### EVERGREEN CEMETERY

The Mayor brought up the following ordinance for the second reading:

AN ORDINANCE ENTITLED "CEMETERY FEES AND SPACES"; SETTING FORTH PRICES OF BURIAL SPACES IN NEWLY OPENED AREAS OF EVERGREEN CEMETERY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Councilman Lebermann moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler

Noes: None

Absent: Councilman Friedman

Not In Room When Roll Called: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

The Mayor brought up the following ordinance for the second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) LOT 1, DENISE SUBDIVISION, SAVE AND EXCEPT, THE NORTHERN FORTY-FIVE (45) FEET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,
- (2) THE NORTHERN FORTY-FIVE (45) FEET OF LOT 1, DENISE SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; LOCALLY KNOWN AS 2106-2110 WEST ANDERSON LANE; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Councilman Dryden moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love

Noes: None

Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

The Mayor brought up the following ordinance for the second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT A, IDEA SUBDIVISION, LOCALLY KNOWN AS 5501 CLAY AVENUE AND 1706-1708 HOUSTON STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Councilman Dryden moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love

Noes: None

Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### ENERGY CONSERVATION PROGRAM

Councilman Binder's report on energy conservation dealt with (a) display and billboard lighting and (b) Christmas lighting.

City Manager Davidson recommended that the Christmas lights on Congress Avenue and the Christmas Tree in Zilker Park not be energized this year. It had been decided previously not to light up bridges or fronts of City buildings and that non-essential lighting would be eliminated during the current energy crisis.

Councilman Lebermann pointed out that the usual Christmas display and activities of Santa's Workshop would be moved from Zilker Park to Town Lake for the daytime activities.

Although no vote was required for the City Manager to take action on the lighting proposals, Mayor Pro Tem Love asked to go on record as opposing the Christmas lighting ban. Mayor Butler reluctantly went along with the ban.

Councilman Binder asked that his report be forwarded to the energy conservation committee to be considered in the overall plan of energy conservation. He further urged expeditious handling of the matter so that a plan could be formulated by early January to meet the impending energy crisis.

#### MOTION FOR NO DECEMBER 27TH COUNCIL MEETING

Councilman Dryden moved the Council not meet on December 27th. Councilman Lebermann seconded the motion. No vote was taken, but Mayor Butler requested that the item be placed on the agenda for December 20th to be voted on then.

#### SELECTION OF GOLF PRO FOR MUNY COURSE

Councilman Handcox requested that the Council start moving on the selection of a golf pro for Muny golf course and that the item be taken up December 20th or the following meeting.

#### ADJOURNMENT

The Council adjourned at 12:10 A.M.

APPROVED:

Mayor

ATTEST:

*Grace Monroe*  
City Clerk